IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL.

Writ Petition No. 876(S/S)2007

Smt. Savitri Rawat W/o Daulat Singh Rawat,
R/o Aekta Vihar Lane no. 1, Opposite Mayur Vihar,
Sahastradhara Road, P.O. Kandoli,
District Dehradun. ----Petitioner.

Vs.

1. State of Uttarakhand through its Secretary Education, School Education, Dehradun,
2. Director School Education, State of Uttarakhand, Dehradun,
3. Addl. District Education Officer , (Basic), Dehradun,
4. District Basic Education Officer, Dehradun.

------Respondents.

Sri Rajendra Dobhal, learned Counsel for the petitioner and
Sri Paresh Tripathi, learned Standing Counsel for the State of Uttarakhand.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Rajendra Dobhal,. learned Counsel for the petitioner and Paresh Tripathi, learned Brief Holder for State of Uttarakhand/respondents.

By means of this writ petition, the petitioner has prayed to issue a writ, order or direction in the nature of certiorari quashing the impugned order dated 22.06.2007 (annexure no.1 so far it related to the petitioner) passed by the respondent no. 3, by which the petitioner, who is working as Assistant Teacher, in Primary School, Mehuwala Mafi, Raipur, Dehradun has been transferred to Primary School Rethwangaon, Raipur, district Dehradun.

The grounds of assailing the order impugned, advanced by the learned counsel for the petitioner are that the petitioner has already attained 55 years' of her age and at the fag end of her

retirement she has been transferred to a most dis-comfortable place where she has to walk for about 17 kms. on foot. Further, the petitioner is posted in the present School only three years' back whereas; the other Teacher who is working in the School from the last 18 years' has been retained in the Institution.

In this regard, the petitioner, raising all her grievances has already moved representation before respondent no. 4 i.e. District Basic Education Officer, Dehradun, which has been received by its office on 5th July 2007. The said representation is still pending before the respondent no.4.

In these circumstances, I deem it fit and proper to direct the respondent no. 4 to take decision on the representation of the petitioner within a period of two weeks from the date of production of a certified copy of this order before respondent no. 4 within one week from today.

Till the representation is decided by the respondent no. 4 or till 10th August 2007, whichever is earlier, the petitioner shall not be relieved from her present place of posting.

With these directions, the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

July 13, 2007:
NCM: